



B-20

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Legal Secretary 1
(PS4825P), Department of Law and
Public Safety

CSC Docket No. 2015-2736

Request for List Revival

ISSUED: MAY 11 2015 (SLK)

The Department of Law and Public Safety requests that the eligible list for Legal Secretary 1 (PS4825P) be revived in order to effectuate the permanent appointment of Jessica Hamilton.

By way of background, the eligible list for Legal Secretary 1 (PS4825P), Department of Law and Public Safety, promulgated February 16, 2012 with 31 names. One certification was issued and one eligible was appointed. The list expired on February 15, 2015. There are currently 30 eligibles remaining on the list. Jessica Hamilton and Diana Heaton's names appeared tied as the first ranked eligibles.

In the instant matter, the appointing authority represents that on February 7, 2015, it received a request to extend the expiration date for the subject eligible list from its Division of Law, but it did not receive the request with enough time to act prior to the expiration date. The appointing authority states that Ms. Hamilton's name is tied as the first ranked eligible on the list and that due to a recent transfer, she has performed as a Legal Secretary 1. Therefore, the appointing authority is now seeking authorization to promote Ms. Hamilton to the Legal Secretary 1 title. It asserts that the Division of Law's Director's Complex has a serious shortage of administrative support staff and needs to retain experienced and knowledgeable staff in order to effectively support the work performed by the executive staff. The appointing authority indicates that the revival of the subject eligible list will provide an opportunity for the appointment of a qualified employee to a title that properly classifies the advanced duties that Ms. Hamilton performs.

The Division of Agency Services supports the appointing authority's request. It indicates that there is no active promotional list nor is there a pending promotional announcement for Ms. Hamilton's unit scope. Furthermore, it notes that the filling of the position from a recently expired list is preferable to and more expedient than announcing a new examination.

CONCLUSION

N.J.S.A. 11A:4-6 and *N.J.A.C.* 4A:4-3.4 provide that an eligible list may be revived in order to implement a court order or decision of the Civil Service Commission (Commission) in the event of a successful appeal instituted during the life of a list, to correct an administrative error, or for other good cause.

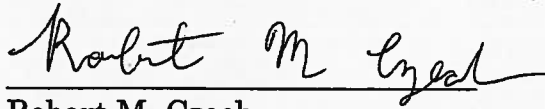
In the instant matter, the appointing authority asserts that it internally received a request to extend the subject eligible list prior to its expiration, but did not have enough time make a request to the Civil Service Commission to extend the list prior to the expiration date. Further, it maintains that Ms. Hamilton has been performing the duties of the subject title and that due to a recent transfer of another employee, there is now a vacancy. Additionally, the appointing authority indicates that the Director's Complex has a serious shortage of administrative support staff and needs to retain experienced and knowledgeable staff in order to effectively support the work performed by the executive staff. Moreover, Ms. Hamilton is tied as the highest eligible on the list and is reachable for appointment. Also, there is not an active eligible list or a pending promotional announcement for her unit scope. Therefore, good cause exists to revive the Legal Secretary 1 (PS4825P), Department of Law and Public Safety eligible list, and issue a certification to provide the appointing authority with an opportunity to make a permanent appointment.

ORDER

Therefore, it is ordered that this request be granted and that the Legal Secretary 1 (PS4825P), Department of Law and Public Safety eligible list be revived and certified in order to provide the appointing authority the opportunity to make a permanent appointment from the list.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 6th DAY OF MAY, 2015



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